



City of Santa Barbara California

STAFF HEARING OFFICER STAFF REPORT

REPORT DATE: November 30, 2006
AGENDA DATE: December 6, 2006
PROJECT ADDRESS: 930 Philinda Avenue (MST2005-00823)
TO: Staff Hearing Officer
FROM: Planning Division, (805) 564-5470
 Jan Hubbell, AICP, Senior Planner
 Chelsey Swanson, Assistant Planner

I. PROJECT DESCRIPTION

The project consists of converting four existing three-bedroom apartments to four condominiums. An existing carport would be converted into a four-car garage and one new one-car garage would be constructed. A total of five covered spaces and three uncovered spaces would be provided. Several other exterior improvements are proposed, including a new trash enclosure, patio area, retaining wall, and new second-story deck.

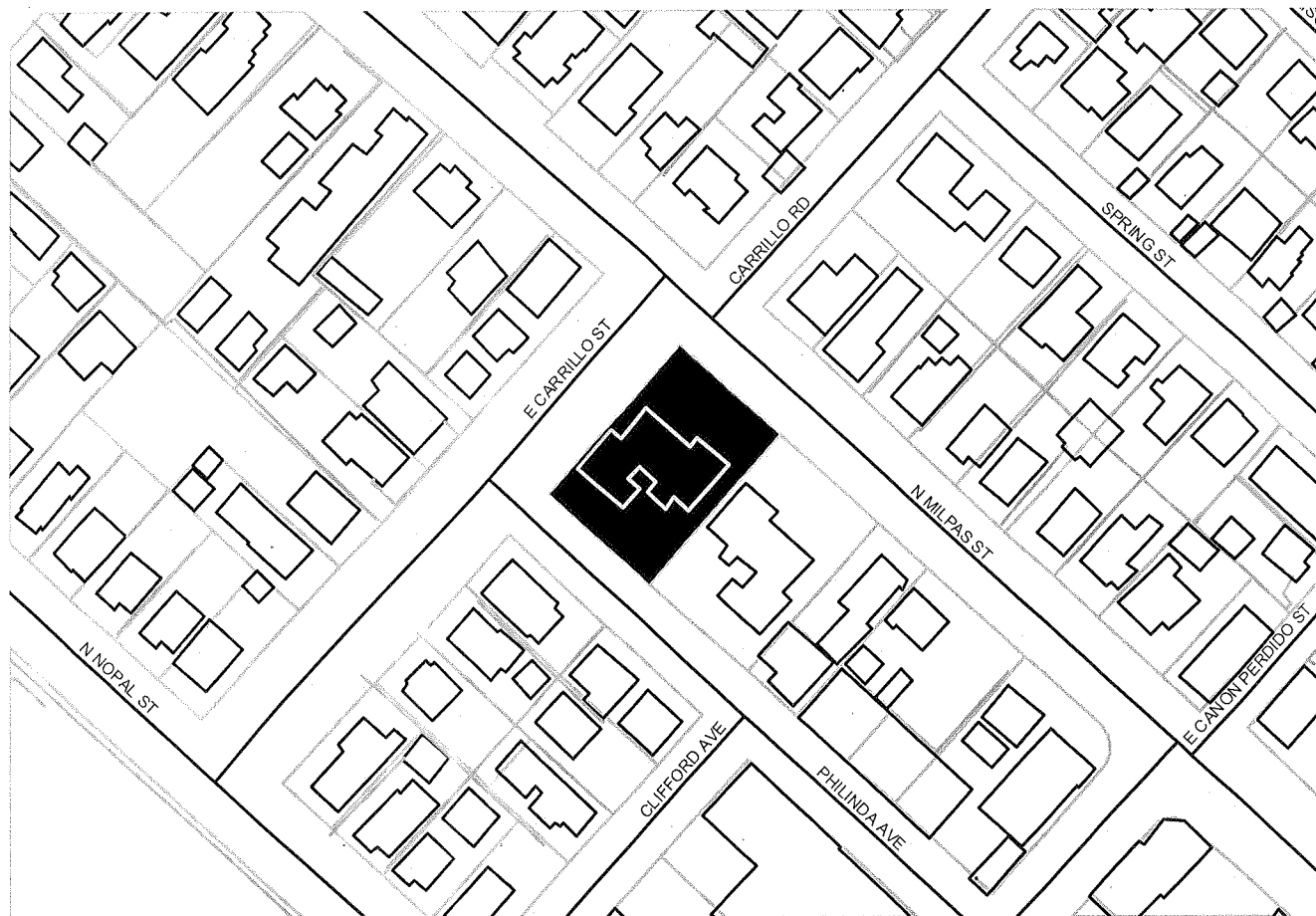
II. REQUIRED APPLICATION

The proposed project will require the following discretionary applications:

1. Modification to allow a fountain to be located within the rear yard setback (SBMC §28.21.060 and 28.92.110);
2. Tentative Subdivision Map for a one-lot subdivision to create four (4) condominium units (SBMC §27.07); and
3. Condominium Conversion Permit to convert four (4) existing residential units to four (4) condominium units (SBMC §28.88).

III. RECOMMENDATION

The proposed project conforms to the City's Zoning and Building Ordinances and policies of the General Plan. In addition, the size and massing of the project are consistent with the surrounding neighborhood and the project meets the intent of the Condominium Conversion Ordinance. Therefore, Staff recommends that the Staff Hearing Officer approve the project, making the findings outlined in Section VII of this report, and subject to the conditions of approval in Exhibit A.



Vicinity Map – 930 Philinda Avenue

IV. SITE INFORMATION AND PROJECT STATISTICS

A. SITE INFORMATION

Applicant:	Laura Bridley	Property Owner:	Rosario and Linda Perry
Parcel Number:	029-313-001	Lot Area:	15,225 sq. ft.
General Plan:	Residential, 12 units/acre	Zoning:	C-2, Commercial Zone
Existing Use:	Residential	Topography:	14.6% average slope
Adjacent Land Uses:			
North – Residential		East – Residential	
South – Residential		West – Residential	

B. PROJECT STATISTICS

	Living Area (net sq. ft.)	Garage (net sq. ft.)	Storage (cubic ft.)
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Unit 1	945	242	250
Unit 2	1,267	390	280
Unit 3	1,220	195	240
Unit 4	1,206	195	240
Total	4,638	1,022	1,010

V. **ZONING ORDINANCE CONSISTENCY**

Standard	Requirement/ Allowance	Existing	Proposed
Setbacks -Front	10'	5' along Carrillo , >10' at other two front yards	No change
-Interior	6'	N/A	No change
-Rear	6' (1 st story) & 10' (2 nd story)	>10'	No change, except fountain within setback
Building Height	60' & four stories	24'	No change
Parking	8 spaces	4 covered, 2 uncovered	5 covered, 3 uncovered
Lot Area Required for Each Unit (Variable Density)	At least 2,800 sq. ft./ unit	3,806 sq. ft./ unit	No change
10% Open Space	1,522 sq. ft.	Requirement exceeded	3,963 sq. ft. (26%)
Private Outdoor Living Space	160 sq. ft. – 1 st floor OR 96 sq. ft. – 2 nd floor	Requirement exceeded	Unit 1 – 564 sq. ft. Unit 2 – 237 sq. ft. Unit 3 – 405 sq. ft. Unit 4 – 132 sq. ft. (2 nd floor)
Lot Coverage -Building -Paving/Driveway -Common hardscape -Private open spaces -Other Landscaping	N/A	2,975 sq. ft. 20% 1,703 sq. ft. 11% 424 sq. ft. 3% 1,464 sq. ft. 10% 8,659 sq. ft. 56%	3,259 sq. ft. 21% 2,569 sq. ft. 17% 632 sq. ft. 4% 1,206 sq. ft. 8% 7,559 sq. ft. 50%

The proposed project would meet the requirements of the C-2, Commercial Zone, with the exception of a fountain being proposed within a rear yard setback. The project would also meet the Physical Standards for Condominium Conversions per SBMC 28.88.040, including requirements for private storage space, laundry facilities in each unit, parking requirements, and outdoor living spaces.

VI. ISSUES

A. DESIGN REVIEW

This project was reviewed on the Architectural Board of Review (ABR) Consent Calendar on one occasion. On March 13, 2006 the ABR carried forward the comments previously made during the December, 2005 conceptual review of 924 Philinda Avenue, as applicable to this project due to the "mirror image" design of the projects (meeting minutes are attached as Exhibit C). Those comments were that the condominium conversion is appropriate and the exterior improvements will be an upgrade, including the conversion of the carport to a garage; the new second story deck for Unit 4; the upgraded hardscape materials; and the introduction of the trash enclosure walls as they help to create a sense of entry to the site. A condition has been added to assure that the Board's request is included in the plans. The Board also looked forward to seeing an upgrade of the hardscaping to create a stronger pedestrian access with the submitted landscape plan. The ABR also found the modification request for the fountain at the end of the driveway to be acceptable given that it creates a beautiful focal point to the project and given the technical nature of the modification. In addition to these comments, the ABR added that landscaping should be added in front of the proposed trash enclosure, and this has been incorporated into the project's preliminary landscape plan. No other changes to the proposed project have occurred since the conceptual review.

B. REAR YARD MODIFICATION

The project site has three front yard setbacks and one rear yard setbacks because the subject property fronts Carrillo and Milpas Streets, and Philinda Avenue. The rear yard setback is applicable to the property line that divides the project site from 924 Philinda Avenue. SBMC §28.21.060 states that in the event of two or more front lot lines, the rear yard area shall be opposite either of the front lot lines. Although this is a rear lot line, it does not function as a rear yard because there are no physical boundaries along the property line, which runs along the shared driveway between the two properties. A fountain is proposed to be located adjacent to the rear property line on 930 Philinda, in the middle of where the shared driveway ends. It provides a central architectural element for both sites and would not create privacy or adverse impacts to residents on either property. Staff is supportive of this modification request and believes it is necessary to secure an appropriate improvement on the property. The ABR also found the modification request supportable.

C. COMPLIANCE WITH THE GENERAL PLAN

Before a condominium project and a tentative subdivision map can be approved, both must be found consistent with the City's General Plan.

Land Use Element: The project is located within the northeastern limit of the Laguna neighborhood, as described in the Land Use Element of the General Plan. This neighborhood is developed in its eastern and northern portions with single-family

dwelling, duplexes, and higher-density multiple-residential units interspersed throughout the neighborhood. The General Plan recognizes that, because this neighborhood is within walking distance to the downtown and other employment areas, the conversion of single-family residences into duplex and multiple dwellings is appropriate. To enable such development, the General Plan calls for 12 dwelling units per acre throughout the neighborhood. The General Plan also identifies the C-2 zoned areas in this neighborhood as areas that should be developed with residential uses. The existing density at the project site is approximately 11.4 units per acre, which would not change as a result of the project. The project's proposed use and residential density is consistent with the General Plan.

Housing Element: Santa Barbara has very little vacant or available land for new residential development and, therefore, City housing policies support build out of infill housing units in the City's urban areas where individual projects are deemed appropriate and compatible. The condominium conversion would provide for homeowner opportunities in a neighborhood with adjacent proximity to a commercial center.

A goal of the Housing Element is to assist in the production of new housing opportunities, through the public and private sector, which vary sufficiently in type and affordability to meet the needs of all economic and social groups. The proposed project contains all relatively modest unit sizes. The proposed residential units would not be restricted to low- or moderate-income households because the historical rental rates of the units do not merit affordability requirements.

D. ENVIRONMENTAL REVIEW

Archaeological Resources: The project site is located within the American Period 1870-1900, and Early 20th Century Period 1900-1920, Cultural Resource Sensitivity Zones, as identified in the City's Master Environmental Assessment (MEA). Further, the MEA identifies a known resource site located in close proximity to the project site. A Phase I Archaeological Resources Report was prepared and accepted by the Historic Landmarks Commission (HLC) on October 18, 2006. The report confirmed that an archaeological site was identified approximately 400 feet northwest of the project site, and that the 600 square foot site is extremely localized to two properties located along Milpas Street. The Report concluded that based on the overall good reliability of the archaeological surface survey, evidence of extensive previous ground disturbance, and absence of any prehistoric or history cultural materials, the potential for the proposed project to encounter unknown but potentially significant prehistoric remains is considered very unlikely. A standard condition of approval has been implemented for the purpose of avoiding impacts to archaeological resources; in the unlikely event that ground disturbance reveals the presence of cultural artifacts or sites.

Noise Sources: The City's Master Environmental Assessment indicates that the project site is located in an area exposed to a noise level of 60-65 dBA L_{dn} (average A-weighted sound level over a 24-hour day). The General Plan Noise Element Land Use

Compatibility Guidelines identify up to 60 dBA L_{dn} as the maximum compatible exterior noise level for residential uses and 45 dBA L_{dn} for interior noise levels. A noise study prepared by David Lord, and dated April 24, 2006 was provided for this project for the purpose of determining noise exposure levels in outdoor and indoor living areas (attached as Exhibit D). Noise sources on the property derive from traffic on Carrillo, Milpas, and Canon Perdido Streets. Measurements were taken on the northeast and southwest portions of the parcel, near the intersection of Carrillo and Milpas Streets and Carrillo Street and Philinda Avenue. The parcel slopes up toward Milpas Street, therefore, the noise level was measure at the second floor level, as line-of-sight noise from the street. The highest level measured was 56 dBA L_{dn} . The study concluded that both exterior and interior noise levels would comply with the Land Use Compatibility Guidelines of the City's Noise Element, and no mitigation would be required.

Conclusion: Staff has determined that the project is exempt from further environmental review pursuant to California Environmental Quality Act Guidelines Section 15301, Existing Facilities, for the division of existing multiple-family residences into common interest ownership.

VII. FINDINGS

A. REAR YARD MODIFICATION (SBMC §28.21.060 AND 28.92.110)

The modification to the rear yard is consistent with the purposes and intent of the Zoning Ordinance and is necessary to secure an appropriate improvement on the property. The fountain would provide an exterior upgrade on-site, and aesthetically improve the appearance of the existing development.

B. TENTATIVE MAP (SBMC §27.07.100)

The Tentative Subdivision Map is consistent with the General Plan and the Zoning Ordinance of the City of Santa Barbara. The site is physically suitable for the proposed development, the project is consistent with the variable density provisions of the Municipal Code and the General Plan, and the proposed use is consistent with the vision for this neighborhood of the General Plan. The design of the project will not cause substantial environmental damage, and associated improvements will not cause serious public health problems.

C. CONDOMINIUM CONVERSION (SBMC §28.88.120)

1. All provisions of the Condominium Conversion Ordinance are met and the project will not be detrimental to the health, safety, and general welfare of the community.
2. The proposed conversion is consistent with the General Plan of the City of Santa Barbara and with the density requirement of its Land Use Element.

3. The proposed conversion will conform to the Santa Barbara Municipal Code in effect at the time the application was deemed complete, except as otherwise provided in the Condominium Conversion Ordinance.
4. The overall design (including project amenities) and physical condition of the conversion will result in a project, which is aesthetically attractive, safe, and of quality construction.
5. The units have not been "affordable rental units"; therefore, affordability restrictions do not apply to the project.
6. The Applicant has not engaged in coercive retaliatory action regarding the tenants after the submittal of the first application for City review through the date of approval.
7. The owner notified the tenants at 930 Philinda Avenue about the condominium conversion proposal and informed the tenant of their rights pursuant to SBMC §28.88.
8. The project is exempt from the provisions of Section 28.88.130 because the project consists of fewer than five units.

Exhibits:

- A. Conditions of Approval
- B. Applicant's Letter, dated June 22, 2006
- C. ABR Minutes
- D. Noise Study

STAFF HEARING OFFICER CONDITIONS OF APPROVAL

930 PHILINDA AVENUE
SETBACK MODIFICATION, TENTATIVE SUBDIVISION MAP, AND CONDOMINIUM CONVERSION
PERMIT
DECEMBER 6, 2006

In consideration of the project approval granted by the Staff Hearing Officer and for the benefit of the owners and occupants of the Real Property, the owners and occupants of adjacent real property and the public generally, the following terms and conditions are imposed on the use, possession and enjoyment of the Real Property:

- A. **Recorded Agreement.** Prior to the issuance of any Public Works permit or Building permit for the project on the Real Property, the Owner shall execute an "Agreement Relating to Subdivision Map Conditions Imposed on Real Property", which shall be reviewed as to form and content by the City Attorney, Community Development Director and Public Works Director, recorded in the Office of the County Recorder, and shall include the following
1. **Uninterrupted Water Flow.** The Owner shall provide for the uninterrupted flow of water through the Real Property including, but not limited to, swales, natural water courses, conduits and any access road, as appropriate. The Owner is responsible for the adequacy of any project-related drainage facilities and for the continued maintenance thereof in a manner that will preclude any hazard to life, health or damage to the Real Property or any adjoining property.
 2. **Recreational Vehicle Storage Prohibition.** No recreational vehicles, boats or trailers shall be stored on the Real Property.
 3. **Approved Development.** The development of the Real Property approved by the Staff Hearing Officer on December 6, 2006 is limited to the conversion of four residential units to condominiums and the improvements shown on the plans signed by the Staff Hearing Officer on said date and on file at the City of Santa Barbara.
 4. **Storm Water Pollution Control Systems Maintenance.** The Owner(s) shall maintain the drainage system, storm drain water interceptor and other storm water pollution control devices in accordance with the Operations and Maintenance Procedure Plan approved by the Building Official and/or the Public Works Director.
 5. **Required Private Covenants.** The Owners shall record in the official records of Santa Barbara County either private covenants, a reciprocal easement agreement, or a similar agreement which, among other things, shall provide for all of the following:
 - a. **Common Area Maintenance.** An express method for the appropriate and regular maintenance of the common areas, common access ways, common utilities and other similar shared or common facilities or improvements of the development, which methodology shall also provide for an appropriate cost-sharing of such regular maintenance among the various owners of the condominium parcels.

EXHIBIT A

- b. **Garages Available for Parking.** A covenant that includes a requirement that all garages be kept open and available for the parking of vehicles owned by the residents of the property in the manner for which the garages were designed and permitted.
 - c. **Landscape Maintenance.** A covenant that provides that the landscaping shown on the approved Landscaping Plan shall be maintained and preserved at all times in accordance with the Plan.
 - d. **Trash and Recycling.** A covenant that includes a requirement that adequate space shall be provided and maintained for trash and recycling purposes.
 - e. **Covenant Enforcement.** A covenant that permits each owner to contractually enforce the terms of the private covenants, reciprocal easement agreement, or similar agreement required by this condition.
- B. **Design Review.** The following are subject to the review and approval of the Architectural Board of Review (ABR) prior to the issuance of a building permit or public works permit (as applicable):
 - 1. **Trash and Recycling Containers.** Trash enclosure areas for trash and recycling containers shall be provided on the Real Property and screened from view from surrounding properties and the street. Provide equal sized containers for both trash and recycling.
 - 2. **Landscape Plan.** Plans showing the existing and proposed landscaping, including and more-defined pedestrian access in the hardscape area.
 - 3. **Lighting.** Exterior lighting, where provided, shall be consistent with the City's Lighting Ordinance. No floodlights shall be allowed. Exterior lighting shall be directed toward the ground.
- C. **Public Works Requirements Prior to Building Permit Issuance.** The Owner shall submit the following, or evidence of completion of the following to the Public Works Department for review and approval, prior to the issuance of a Building Permit for the project:
 - 1. **Street Public Improvements.** The Owner shall submit C-1 public improvement or building plans for construction of improvements along the property frontage on Philinda Avenue. The C-1 plans shall be submitted separately from plans submitted for a Building permit. As determined by the Public Works Department, the improvements shall include new and/or remove and replace to City standards, the following: sidewalk, driveway apron modified to meet Title 24 requirements, curbs, gutters, asphalt concrete, crack seal to the centerline of the street along entire subject property frontage, underground service utilities, connection to City water and sewer mains, public drainage improvements with supporting drainage calculations and/or hydrology report for installation of curb drain outlets, slot/trench drain (provide on/off-site storm water BMP plan), preserve and/or reset

survey monuments and contractor stamps, and provide adequate positive drainage from site. Existing private sewer lateral(s) serving the property shall be repaired before new dwellings are occupied. Any existing sewer laterals identified to be abandoned, shall be disconnected at the sewer mainline connection. A licensed plumber shall verify if the property requires a backwater valve. If existing lateral already has a backwater valve, then it shall be inspected. The building plans, drainage calculations and hydrology report shall be prepared by a registered civil engineer or licensed architect. Any work in the public right of way requires a public works permit.

2. **Drainage Calculations or a Hydrology Report.** The Owner shall submit drainage calculations or a hydrology report justifying that the existing on-site and proposed on-site drainage system adequately conveys a minimum of a 25-year storm event.

D. **Building Permit Plan Requirements.** The following requirements shall be incorporated into the construction plans submitted to the Building and Safety Division with applications for building permits. All of these construction requirements shall be carried out in the field and completed prior to the issuance of a Certificate of Occupancy:

1. **Design Review Requirements Included on Plans:** Plan submitted for building permits shall show all design elements, as approved by Architectural Board of Review.
2. **Unanticipated Archaeological Resources Contractor Notification.** Prior to the start of any vegetation or paving removal, demolition, trenching or grading, contractors and construction personnel shall be alerted to the possibility of uncovering unanticipated subsurface archaeological features or artifacts associated with past human occupation of the parcel. If such archaeological resources are encountered or suspected, work shall be halted immediately, the City Environmental Analyst shall be notified and an archaeologist from the most current City Qualified Archaeologists List shall be retained by the applicant. The latter shall be employed to assess the nature, extent and significance of any discoveries and to develop appropriate management recommendations for archaeological resource treatment, which may include, but are not limited to, redirection of grading and/or excavation activities, consultation and/or monitoring with a Barbareño Chumash representative from the most current City qualified Barbareño Chumash Site Monitors List, etc.

If the discovery consists of possible human remains, the Santa Barbara County Coroner shall be contacted immediately. If the Coroner determines that the remains are Native American, the Coroner shall contact the California Native American Heritage Commission. A Barbareño Chumash representative from the most current City Qualified Barbareño Chumash Site Monitors List shall be retained to monitor all further subsurface disturbance in the area of the find. Work in the area may only proceed after the Environmental Analyst grants authorization.

If the discovery consists of possible prehistoric or Native American artifacts or materials, a Barbareño Chumash representative from the most current City Qualified Barbareño Chumash Site Monitors List shall be retained to monitor all further subsurface disturbance in the area of the find. Work in the area may only proceed after the Environmental Analyst grants authorization.

3. **Construction Hours.** Construction (including preparation for construction work) is prohibited Monday through Friday before 7:00 a.m. and after 5:00 p.m., and all day on Saturdays, Sundays and holidays observed by the City of Santa Barbara as shown below:

New Year's Day	January 1 st *
Martin Luther King's Birthday	3 rd Monday in January
Presidents' Day	3 rd Monday in February
Memorial Day	Last Monday in May
Independence Day	July 4 th *
Labor Day	1 st Monday in September
Thanksgiving Day	4 th Thursday in November
Following Thanksgiving Day	Friday following Thanksgiving Day
Christmas Day	December 25 th *

*When a holiday falls on a Saturday or Sunday, the preceding Friday or following Monday, respectively, shall be observed as a legal holiday.

When, based on required construction type or other appropriate reasons, it is necessary to do work at night, contractor shall contact the Chief of Building and Safety to request a waiver from the above construction hours, using the procedure outlined in SBMC § 9.16.015 Construction Work at Night. Contractor shall notify all residents within 300 feet of the parcel of intent to carry out night construction a minimum of 48 hours prior to said construction. Said notification shall include what the work includes, the reason for the work, the duration of the proposed work and a contact number.

4. **Conditions on Plans/Signatures.** The final Staff Hearing Officer Resolution shall be provided on a full size drawing sheet as part of the drawing sets. Each condition shall have a sheet and/or note reference to verify condition compliance. If the condition relates to a document submittal, indicate the status of the submittal (e.g., Parcel Map submitted to Public Works Department for review). A statement shall also be placed on the above sheet as follows: The undersigned have read and understand the above conditions, and agree to abide by any and all conditions which is their usual and customary responsibility to perform, and which are within their authority to perform.

Signed:

Property Owner		Date
Contractor	Date	License No.
Architect	Date	License No.
Engineer	Date	License No.

- E. **Public Works Submittal Prior to Final Map Recordation.** Owners shall submit the following or evidence of completion of the following to the Public Works Department prior to the recordation of the Final Map.
1. **Certificate of Occupancy for Physical Standards for Condominium Conversions.** Owner shall complete all necessary work in order to comply with the Physical Standards for Condominium Conversions specified in SBMC § 28.88.040 of the Municipal Code and receive a final certification of occupancy for such work.
 2. **Building Permit Required for Conversion.** Evidence that a conversion permit has been issued for the conversion of the four residential units to four condominiums.
 3. **Parcel Map.** Owners shall submit a Parcel Map to the Public Works Department acceptable for recordation. The Parcel Map shall be prepared by a licensed land surveyor or registered civil engineer in conformance with current Subdivision Map Act and in conformance with the requirements of the City Survey Control Ordinance.
 4. **Dedication.** Easements as shown on the approved Tentative Subdivision Map, subject to approval by the Public Works Department and/or the Building and Safety Division:
 - a. A reciprocal access easement between APN 029-313-001 and APN 029-313-002.
 5. **Required Private Covenants.** The Owner shall submit a copy of the recorded private covenants, reciprocal easement agreement, or similar private agreements required for the project.
 6. **Removal or Relocation of Public Facilities.** Removal or relocation of any public utilities or structures must be performed by the Owner or by the person or persons having ownership or control thereof.

7. **Maintenance Agreement Required.** The Owner shall submit an Executed Agreement for Maintenance of the proposed driveway, subject to the review and approval of the Public Works Director and City Attorney.
 8. **Water Rights Assignment Agreement.** The Owner shall assign to the City of Santa Barbara the exclusive right to extract ground water from under the Real Property. Said agreement will be prepared by Engineering Division Staff for the Owner's signature.
- F. **Prior to Certificate of Occupancy.** Prior to issuance of the Certificate of Occupancy for the condominium conversion permit, the Owners of the Real Property shall submit the following or evidence of completion of the following to the Public Works Department:
1. Recordation of Final Map.
 2. Recordation of the Agreement Relating to Subdivision Map Conditions Imposed on Real Property.
 3. Recordation of Private Covenants.
 4. **Repair Damaged Public Improvements.** Repair any damaged public improvements caused by construction (curbs, gutters, sidewalks, etc.) subject to the review and approval of the Public Works Department. Where tree roots are the cause of the damage, the roots shall be pruned under the direction of the City Arborist.
 5. **Backflow or Backwater Device.** Provide an approved backflow or backflow device for the irrigation meter, placed on the property side of consumer's service pursuant to SBMC §14.20.120.
 6. **Complete Public Improvements.** Public improvements constructed as shown on the building plans.
- G. **Litigation Indemnification Agreement.** In the event the Staff Hearing Officer approval of the Project is appealed to the City Council, Applicant/Owner hereby agrees to defend the City, its officers, employees, agents, consultants and independent contractors ("City's Agents") from any third party legal challenge to the City Council's denial of the appeal and approval of the Project, including, but not limited to, challenges filed pursuant to the California Environmental Quality Act (collectively "Claims"). Applicant/Owner further agrees to indemnify and hold harmless the City and the City's Agents from any award of attorney fees or court costs made in connection with any Claim.
- Applicant/owner shall execute a written agreement, in a form approved by the City Attorney, evidencing the foregoing commitments of defense and indemnification within thirty (30) days of the City Council denial of the appeal and approval of the Project. These commitments of defense and indemnification are material conditions of the approval of the Project. If Applicant/Owner fails to execute the required defense and indemnification agreement within the time allotted, the Project approval shall become null and void absent subsequent acceptance of the agreement by the City, which acceptance shall be within the

City's sole and absolute discretion. Nothing contained in this condition shall prevent the City or the City's Agents from independently defending any Claim. If the City or the City's Agents decide to independently defend a Claim, the City and the City's Agents shall bear their own attorney fees, expenses and costs of that independent defense.

**NOTICE OF TENTATIVE SUBDIVISION MAP AND CONDOMINIUM CONVERSION
TIME LIMITS:**

The Staff Hearing Officer's action approving the Tentative Map shall expire two (2) years from the date of approval. The subdivider may request an extension of this time period in accordance with Santa Barbara Municipal Code §27.07.110 or the provisions of the California Subdivision Map Act.



RECEIVED
JUN 22 2006
CITY OF SANTA BARBARA
PLANNING DIVISION

Ms. Chelsey Swanson
 City of Santa Barbara
 Planning Division
 630 Garden Street
 Santa Barbara, CA 93101

June 22, 2006

Re: Staff Hearing Officer Application for Condominium Conversion for 930 Philinda Avenue; APN 029-313-001; MST-2005-00823

Dear Chelsey,

Thank you for working with me and my clients, Cerdoc and managing partners Rosario and Linda Perry, over the past several months as we assembled this condominium conversion application for 924 Philinda Avenue. Specifically, this application requests the following:

1. Tentative Subdivision Map (TSM) for a one-lot subdivision with four residential condominiums per SBMC §27.07;
2. Condominium Conversion Permit to convert four existing apartments to four condominiums per SBMC §28.88;
3. Modification for encroachment into the interior yard setback per SBMC §28.66.060; and
3. Design Review Approval by the Architectural Board of Review (ABR) to recognize the units as condominium units and for all proposed exterior alterations per SBMC §22.68.

I have outlined this letter in response to your PRT letter dated February 16, 2006, a copy of which is provided as **Attachment A**, and am including with this packet the following material:

- ❖ Completed City of Santa Barbara Planning Commission & Staff Hearing Officer Submittal Cover Sheet
- ❖ Check # 1101 from Rosario and Linda Perry in the amount of \$7,740
- ❖ **Attachment B:** A Physical Elements Report prepared by David Jones, AIA, the project architect, dated May 15, 2006
- ❖ **Attachment C:** A rental rate history dated April 28, 2006, required per 28.88.060.B.2
- ❖ **Attachment D:** Copies of the tenant notification letters (required per SBMC §28.88.100 & 28.88.060.C) provided to tenants on March 18, 2006 and signed by each tenant at the time of their occupancy
- ❖ **Attachment E:** An acoustical analysis, prepared by 45dB.com, David Lord, Ph.D., and dated April 24, 2006

EXHIBIT B

- ❖ **Attachment F:** A letter report addressing potential archaeological resources, prepared by David Stone, M.A., and dated April 2006
- ❖ **Attachment G:** A draft reciprocal access easement for 924 Philinda, to be shared with 930 Philinda.

EXISTING SITE SETTING

The project site is located at 930 Philinda Avenue in a C-2 zone district. It is bounded on the north by Carrillo Street, on the east by Milpas Street, on the west by Philinda Avenue, and on the south by 924 Philinda Avenue. This location causes this property to have three front yards (Milpas Street, Carrillo Street and Philinda Avenue) as defined by the City's Zoning Ordinance. Improvements are currently located outside the required setbacks from Milpas Street and Philinda Avenue, but a five-foot portion of the existing building is located within the required ten-foot front yard setback from Carrillo Street. This legally non-conforming location was permitted by the Board of Land Use Controls as a Modification of Section 28.21.060.1 of Title 28, per Resolution 418 on September 10, 1976. The City's General Plan designation for this site is Residential, 12 units per acre. The total project site area is 15,225 square feet, or .35 acres.

Properties immediately adjacent to the site on both sides of Philinda Avenue and across Carrillo Street and Milpas Street are all occupied with residential primarily multi-family uses. Commercial land uses exist on the lower block of Philinda Avenue, as well as along the lower 900 block of Milpas Street. Santa Barbara High School is located two blocks west of the site on Nopal Street at Carrillo Street, and the Santa Barbara County Bowl is located northeast of the site, within about 1000 feet. Zoning designations of surrounding properties include C-2 (north and south of site), R-4 (east and west).

The 930 Philinda Avenue property currently has a four-unit apartment complex, four covered parking spaces in a carport element on the first floor, and two guest parking stalls between Philinda Avenue and the residential building. The configuration of the existing units has remained the same since the project's original construction in 1976 per Building Permit No. B-7829-1.

Each unit within 930 Philinda Avenue currently has three bedrooms and two bathrooms. Unit sizes range from 945 to 1,267 square feet (net). Unit 1 is entirely on the ground floor, while Unit 2 and 3 have one and two story elements. Unit 4 is entirely on the second floor, over the existing carport spaces. Existing private open yard areas are provided in enclosed concrete deck and patio spaces adjacent to each unit except unit 4. Please see the project statistics on sheet AO of the architectural plans for detailed information and provision of existing gross square footages for each unit.

The site includes generous setbacks from Carrillo Street, Milpas Street and Philinda Avenue that are currently landscaped with grass, ornamental plantings, and multiple mature trees. Total site area devoted to landscaping, exclusive of private open yard areas, is 7,646 sq. ft., or 47 % of the site. This area also encompasses the three front-yard setbacks on the site, and therefore represents an unusually high dedication to open space area in this neighborhood.



The project site statistics will remain almost identical to the existing lot statistics due to the limited addition of only one garage stall as new building area.

A railroad tie retaining wall exists along the east side of the driveway terminus, which supports a slope between this section of the property and Milpas Street. Another railroad tie retaining wall is located on the north end of the site, between the building and the northwesterly property line along Carrillo Street.

PROJECT DESCRIPTION

This application is for a conversion of four existing apartments to condominium units. Each unit has three bedrooms and two bathrooms, which will remain in the converted units. Unit 1 is a ground floor unit with a proposed 564 square foot private outdoor yard area located in an existing patio that wraps around the unit to the south and east. The southern section of this patio will be modified with a garden wall to provide the minimum private yard area dimension and would result in approximate dimensions of 44' x 10' (south end) and 10' x 13' (east side). Units 2 and 3 are two story units, with private outdoor yard areas provided on ground floor patios to the north of unit 2 (237 square feet in a patio of approximately 18' x 10') and unit 3 (405 square feet in a patio of approximately 27' X 15'). Unit 4 is a second story unit, and a new deck is proposed for this unit that will provide 155 sq. ft in a space with dimensions of 18' x 8-10'. The project site statistics are summarized below:

924 Philinda Proposed Project Statistics

Unit #	First Floor Sq. Ft.	Second Floor Sq. Ft.	Net Sq. Ft	Gross Sq. Ft.	# Bdrms./ Bathrms.	Private Open Yard Area
1	945	n/a	945	1,023	3/2	564
2	575	692	1,267	1,334	3/2	237
3	590	630	1,220	1,296	3/2	405
4	n/a	1,206	1,206	1,287	3/2	155 (proposed)
COMBINED SITE STATISTICS (with proposed garage)				Gross Sq. Ft.	% of Site	
Building Coverage				3,259	21%	
Driveway, Parking stalls, Trash enclosure				2,569	17%	
Common sidewalk, patio (courtyard)				632	4%	
Private Open Yard areas (not including new deck for Unit 4)				1,206	8%	
Remaining landscaped area				7,559	50%	

All private open yard area calculations do not include stairwells and entry points, and still exceed the private open yard area requirements of SBMC 28.21.081a. Total site area devoted to landscaping, exclusive of the private open yard areas, is proposed to be 7,559 square feet, or 50% of the 15,225 square foot lot area.

Along with the second floor deck for Unit 4, other alterations proposed for the site include

- ❖ Addition of a fifth garage bay at the front of the building;
- ❖ Relocation of the existing staircase to the second floor unit 4;
- ❖ Enclosure of the remaining four carports with garage doors;
- ❖ Removal of a common laundry room on the ground floor (at west end of carport area), and creation of a pedestrian access from the garage to the common courtyard;
- ❖ Replacement of the common laundry room with individualized washer/dryers in each unit;
- ❖ Relocation of the trash pick up area from the rear of the driveway to a new trash and recycling storage area enclosed in masonry walls to the west of the driveway;
- ❖ Removal of existing patio enclosure walls in front of Units 2&3, and replacement with decorative tile to enhance this central courtyard area that will then serve all units;
- ❖ Rehabilitation and/or removal of the existing A/C paved driveway, drainage facilities, and landscaping on site;
- ❖ Construction of a new 6-inch P.V.C. storm drain pipe, 12-inch concrete catch basin, and trench drain with flo-guard filter at the existing driveway, and reconstruction of this driveway per City standards, consistent with the City's recommended best management practices;
- ❖ Replacement of the trash bin at the rear of the driveway with a decorative fountain and retaining wall. This feature would be located in the required rear yard setback, and therefore would require a modification, which was supported by the ABR.

Because the site is so well landscaped now, the proposed landscape plan is simple, and responds to the conceptual comments received by the ABR on December 12, 2006. The project would retain all existing mature trees (primarily eucalyptus, pine, and pittosporum) and most of the other ornamental plantings (including Eugenia, Raphiolepis, Camelia and grass). New plantings are proposed in front of the trash enclosure, and would include more Raphiolepis, Salvia leucantha, Hemerocallis hybrids, Anigozanthus 'Bush Down', and Tecomarias 'yellow', as specified on the enclosed Landscape Plan, sheet L1. The original project landscape plan is also provided as background information.

Grading proposed for the site is provided on sheet C-1, the preliminary grading and drainage plan by MAC Design Associates. The total site grading for the site is estimated to be 110 cubic yards, with 15 cubic yards lost to clearing and grubbing, for a total of 95 cubic yards of export. Grading operations are anticipated to be completed within three weeks. Export soil will be sold to another owner or construction site, depending on the date of project approval and market availability at that time.



Per the City's DART application packet, the following clarifications are also provided. The project:

- ❖ would not create smoke or odors, other than during the short term rehabilitation of pavement surfaces;
- ❖ would not create new noise sources as the residential use and density would remain the same;
- ❖ has not yet prepared a geotechnical study or soils report, but anticipates completing a soils report prior to final design;
- ❖ has prepared a noise analysis and archaeological report, as discussed below;
- ❖ does not involve any existing or proposed recreational trails traversing the project site, although the frequent students from Santa Barbara High School do not understand this;
- ❖ is not located adjacent or near a creek or other water course;
- ❖ the site has not been, nor will it be in the future, involved in the disposal of hazardous materials or abandoned oil wells to the owners' knowledge.

RESPONSES TO PRT LETTER

The points from the February 16, 2006 PRT letter are *italicized* below with responses by this application in the following text.

A. Planning Division

General Comments

1. Identify, in the applicant letter, how the project complies with the Physical Standards for Condominium Conversions (SBMC §28.88.040) (see attached packet).

Response:

- A. Unit Size: The unit sizes are from 945 to 1046 net square feet, so are all well above the 600 sq. ft. minimum required in 28.99.040.A.
- B. Fire Prevention: All units are currently equipped with automatic smoke detectors, which will be maintained by individual homeowners in the future, per note 5 on sheet A2. Additionally, this provision will be specified in the CC&R's for the project. Any portable extinguisher in commonly accessible areas that may be required during final plan check review will be maintained by the Homeowner's Association for the project.
- C. Sound Transmission: At this time, the only new domestic appliances planned are the location of individual vertical washer and dryer modules in each unit. These units are enclosed in dedicated closets which will also attenuate noise. Details shown on the



ARCHITECTURAL BOARD OF REVIEW
CASE SUMMARY

924 PHILINDA AVE

MST2005-00778

R - CONDO CONVERSI

Page: 1

Project Description:

Proposal for a condominium conversion of an existing 4,638 square foot apartment building consisting of four three-bedroom units and to convert four single-car carports to single-car garages and construct one new single-car garage with deck on top. Also proposed on this 14,941 square foot lot is to provide one new uncovered parking space, a new trash enclosure, and a new patio area.

Activities:

12/12/2005

ABR-Concept Review (New)

(COMMENTS ONLY; PROJECT REQUIRES ENVIRONMENTAL ASSESSMENT AND PLANNING COMMISSION APPROVAL OF A TENTATIVE SUBDIVISION MAP FOR A CONDOMINIUM CONVERSION.)

(7:10)

Dave Jones, Architect; and Laura Bridley, Applicant; present.

Motion: Continued indefinitely to the Planning Commission with the following comments:

1) The Board finds that the condominium conversion is appropriate and that the improvements made are an upgrade to the existing conditions. 2) The introduction of the deck, and the upgrade from carports are much more beautiful and traditional garages surrounds are found to be a plus. 3) The upgraded hardscape materials are a plus. 4) The introduction of the trash enclosure walls toward the front helps to create a sense of entry to the project and can be acceptable in front of the project given a significant amount of landscape screening. 5) The Board finds the modification request for the fountain at the end of the driveway to be quite acceptable given that it creates a beautiful focal point to the project and its technical nature of the modification. 6) The Board looks forward to seeing an upgrade of the hardscaping to create a stronger pedestrian access with the submitted landscape plan.

Action: LeCron/Bartlett, 6/0/1. Manson-Hing abstained.

EXHIBIT C

David Lord, Ph.D.

Principal Consultant

April 24, 2006

Sound Level AssessmentCondominium Conversion Project
Linda and Rosario Perry, Owners
930 Philinda Avenue
Santa Barbara, CA 93103for:
Rosario Perry
c/o Laura Bridley, AICP
118 Mohawk Road
Santa Barbara, CA 93109**Description and Noise Criteria:**

The dimensions, plans and elevations used in this noise analysis are taken from drawings supplied by Lenvik and Minor Architects, Santa Barbara. The potential noise issue is primarily the transportation source of Milpas Avenue to the northeast and Santa Barbara High School at a distance to the southwest of the site. The potentially affected areas and the sound level findings are described in text and figures on the following pages.

With regard to land use, potential noise conflict and noise mitigation measures, the noise level standards contained in the Uniform Building Code and the Noise Element of the City of Santa Barbara General Plan, are used to evaluate the outdoor activity areas at the site and dwelling layout and construction. The maximum acceptable noise exposure (Day-Night Average Level, **LDN**) is:

interior = 45 dBA

exterior = 60 dBA, normally

Existing Sound Level at Northeast Property Line

The existing sound level at the northeast property line on the affected side of the proposed apartment development was measured Thursday and Friday, April 6 and 7, 2008 (see Figure

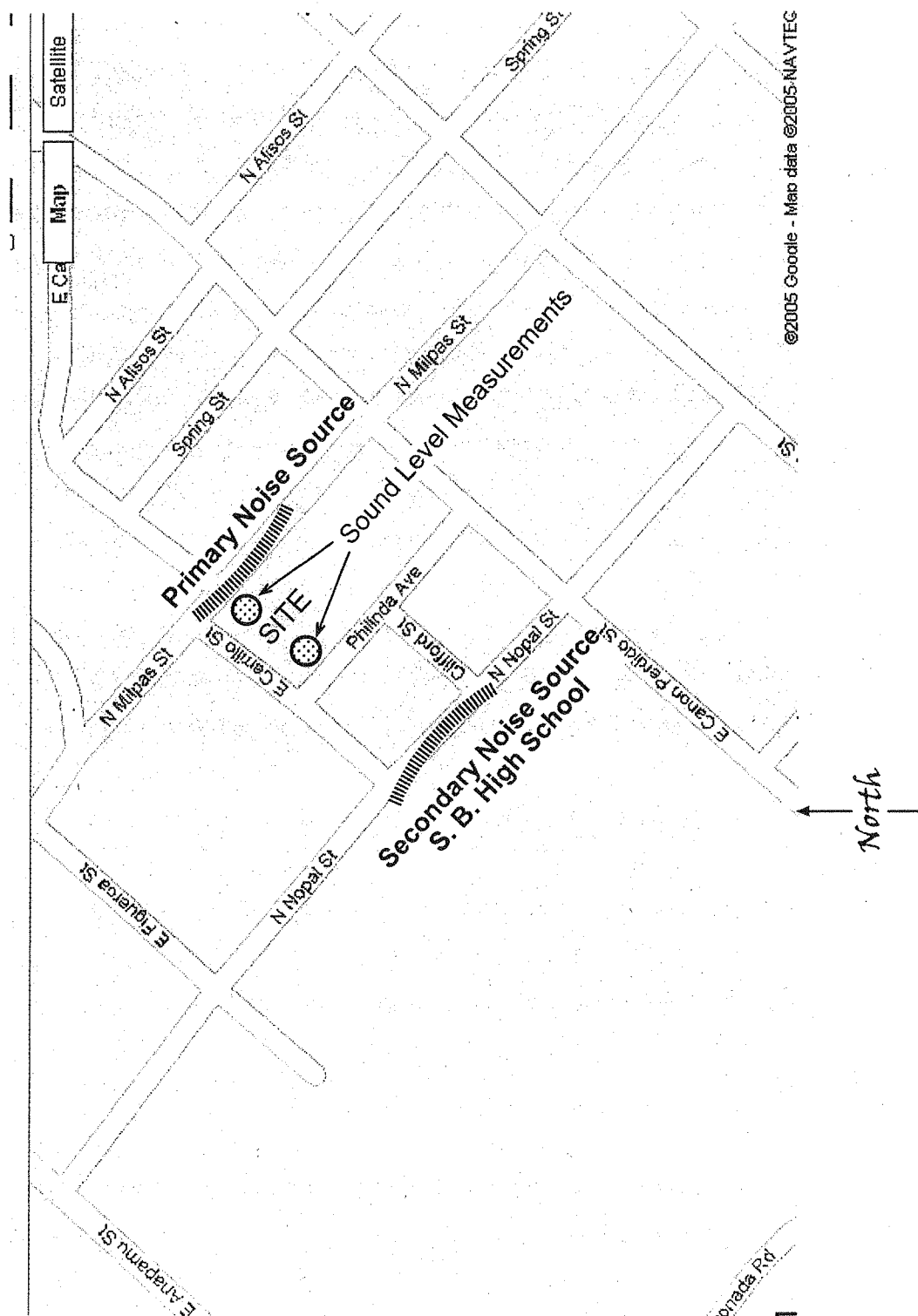


Figure 1 Plan showing location of sound level measurements as described in the text [not to scale].

for location of sound level measurement). Sound levels were measured every ten seconds continuously for 24 hours and the Day Night Level (**LDN**) was derived from the measurements. **LDN** is a single-number value that determines acceptability in the planning standards and in the Noise Element of the General Plan for the City of Santa Barbara. Instantaneous noise peaks and valleys of a short time period (shown on pages 6 and 7 of this report) have only little individual influence on the overall daily **LDN** value.

North Milpas Street is a light-to-moderate-level transportation noise source, traveled by cars, trucks, and motorcycles, with a mild noise impact on the proposed condominium northeast facades. Traffic on Milpas Street averages about 35 m.p.h., the posted speed limit. The intersections of Milpas St. with Carrillo St. and E. Canon Perdido St. to the north and to the south of the site, with resulting deceleration and acceleration of traffic, adds a small amount to the transportation noise load. Seasonal variations in traffic may be evident, due to the nearby commercial areas, which will contribute to somewhat higher traffic density during the holiday season. However, this would be at a time when apartment windows may be shut due to cooler weather. Average Daily Traffic (ADT) is estimated to grow and will result in increased noise levels in the future.

Both northbound and southbound travel lanes of North Milpas Street are visible from the second floor of the existing residences on the site. Noise from the Santa Barbara High School grounds to the southeast of the site was not judged to be a significant factor by comparison to Milpas Street. However, during football season, some sound from the public address system at the high school may carry to the site.

Measured and calculated sound levels yield the following value: Along the northeast side of the site, facing North Milpas Street, measured **LDN = 56 dBA**. Noise level was measured at the second floor level, as line-of-sight noise from Milpas Street. Future sound levels at the northeast side are expected to grow slightly along with Average Daily Traffic growth, at an estimated rate of one percent per annum. As sound level is a logarithmic value, it will require a decade of growth in average daily traffic volume to result in an additional one dBA of **LDN** sound level. Therefore, at this growth rate, in the year 2016, **LDN** at second story level may be **LDN = 57 dBA**.

Site layout, orientation and noise levels are shown in the Figure on page five. The LDN at the northeast side of the site at five feet above grade level and approximately at the level of the second story windows is less than $LDN = 60$ dBA. Therefore, noise mitigation for habitable spaces and outdoor activity areas on the northeast side of the proposed apartments is presently **not** required to meet building code and General Plan requirements.

Recommended Apartment Façade Construction for Northeast-facing Elevations.

While not required, if quieter accommodation is desired the following construction specification will result in an acoustical performance of less than $LDN = 40$ dBA interior noise level along the northeast side, where new construction assemblies face the North Milpas Street noise source. Noise mitigation may fail to perform if each and every following recommendation is not followed. A small crack or air leak in the construction may completely compromise all other sound-proofing.

Vents and roof penetrations: Soffit vents, eave vents, dormer vents and other wall and roof penetrations shall be located on the walls and roofs facing away from the noise source (located on the northwest, southwest or southeast sides) wherever possible.

Walls: The northeast-facing walls of habitable spaces on the second floor of dwelling units nearest the noise source shall have a wall construction with an S.T.C. (Sound Transmission Class) rating of 30 or greater. For instance, stucco exterior or equivalent, with 30 pound felt on 5/8" sheathing, on 2" x 4" stud walls with minimum R-15 dense batt insulation and an interior layer of 5/8" gypsum board will provide an S.T.C. rating of 30 or greater. Construction of the wall must include the use of non-hardening acoustical sealant at all construction joints, header and footer construction and edges of dry wall where gypsum board meets ceiling, intersecting walls and floor.

Acoustic Leaks: Common acoustic leaks, such as electrical outlets, pipes, vents, ducts, flues and other breaks in the integrity of the wall, ceiling or roof insulation and construction on the northeast side of the condominiums nearest the transportation noise source shall receive special attention during construction. All construction openings and joints through the gypsum board on east-facing walls shall be insulated, and caulked with acoustical sealant and with expanding foam, as appropriate. All such openings and joints shall be airtight to maintain sound isolation.

Windows: To reach an interior sound level of $LDN = 40$ dBA, windows for habitable spaces on the second floor of affected northeast elevation facing the noise source shall be of double-glazed construction with one light of laminated glass, and installed in accordance with the recommendations of the manufacturer. The windows shall be fully gasketed, with an S.T.C. rating of 30 or better, as determined in testing by an accredited acoustical laboratory. Milgard "Quiet Line" windows meet this specification.

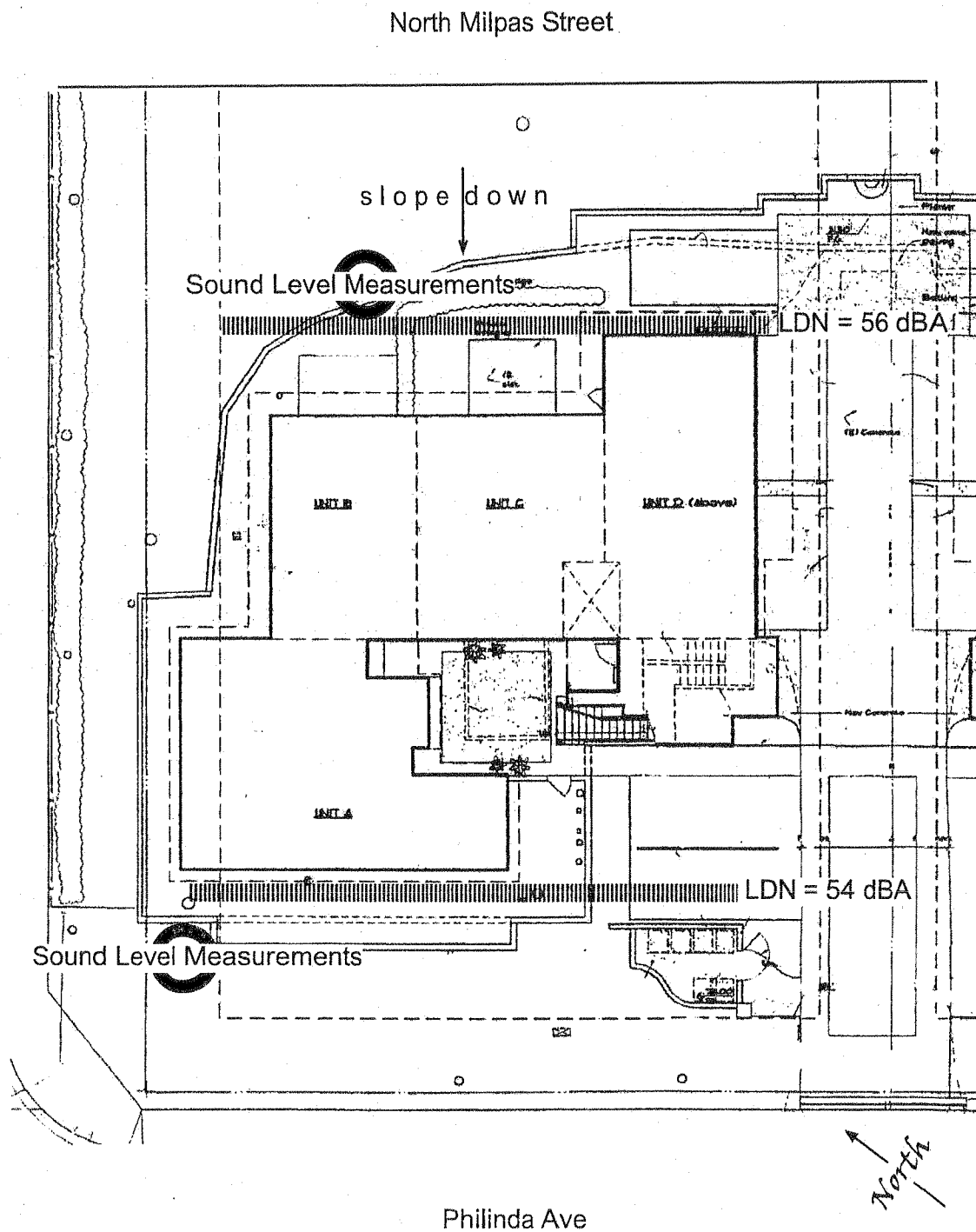
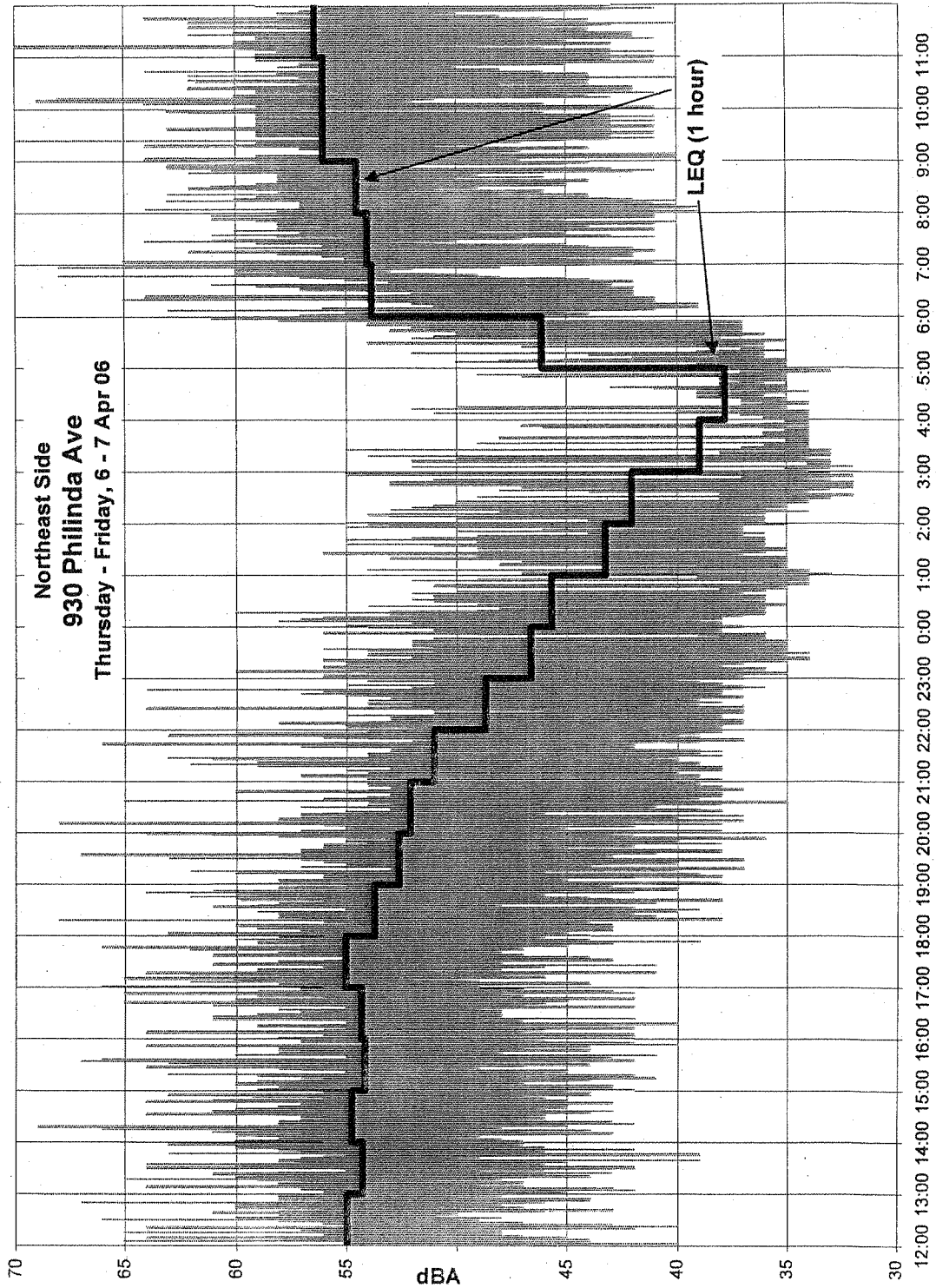
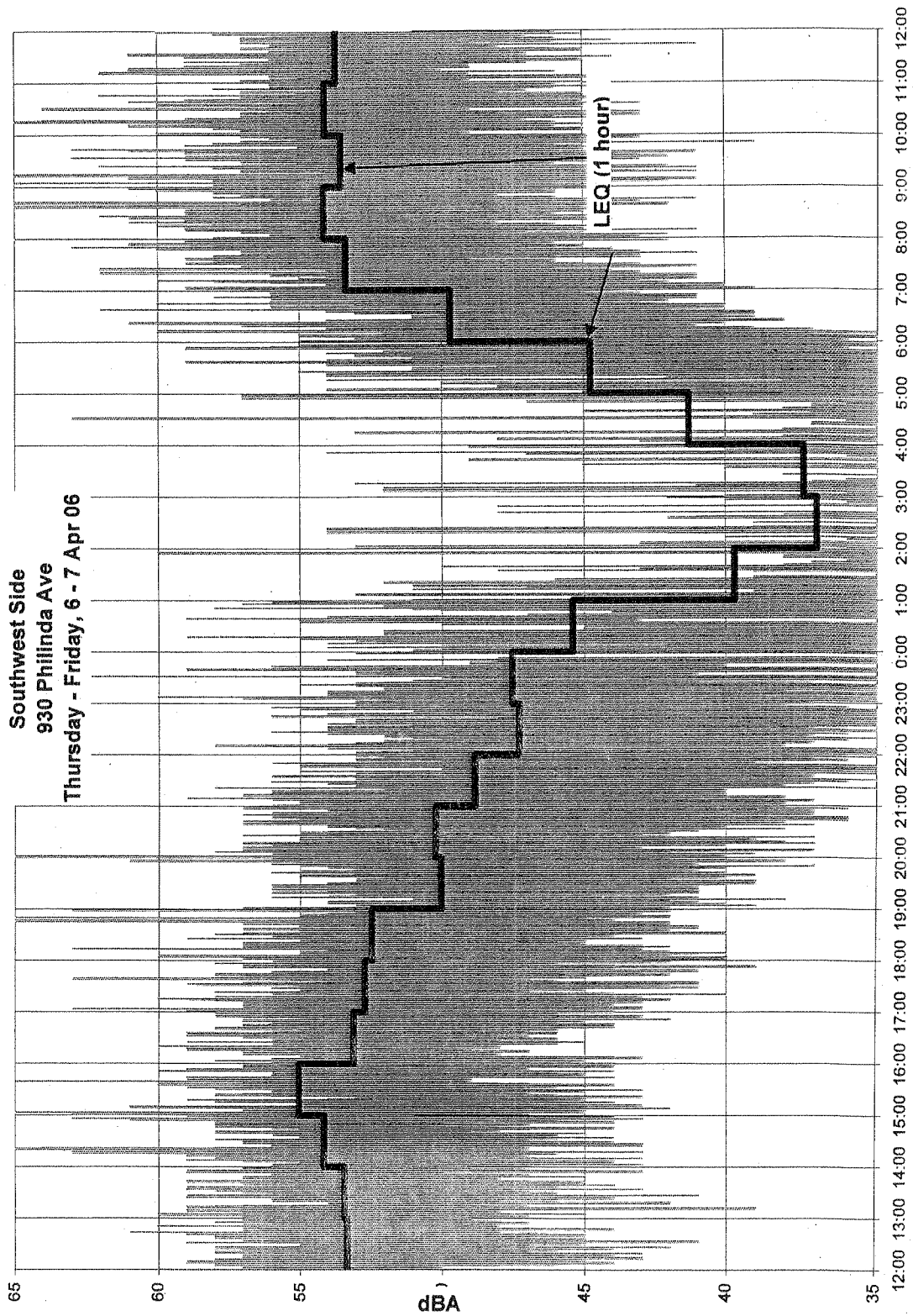


Figure 2. Plan showing location of sound level measurements and noise contours. [not to scale].





LDN Calculation

45dB.com

David Lord, Principal Consultant

924 Philinda Ave.

Santa Barbara, CA

5 feet above existing grade

Southwest Side

4/6 - 4/7, 2006

5 feet above existing slope grade

near second story window level

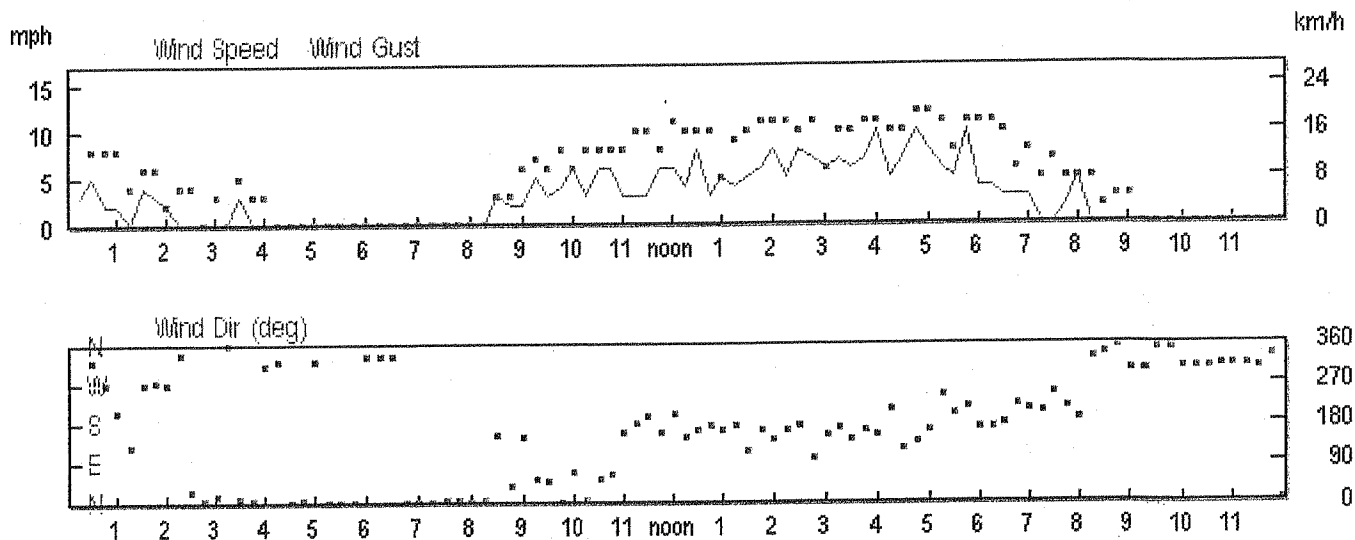
Northeast Side

LEQ (hour) calculated from 10 second continuous measurements

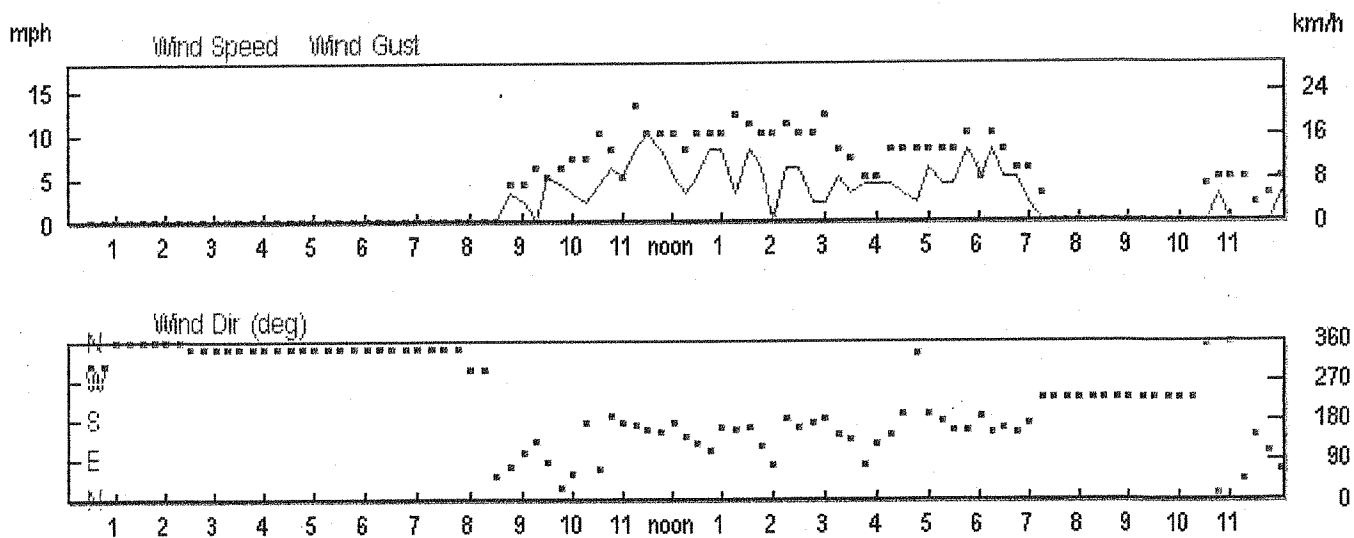
	dBA	hour	dBA	hour
Calculated DAY LEQ:	54.3	0700	55.0	0700
Calculated DAY LEQ:	55.1	0800	55.5	0800
Calculated DAY LEQ:	54.5	0900	57.0	0900
Calculated DAY LEQ:	55.1	1000	57.0	1000
Calculated DAY LEQ:	54.7	1100	57.4	1100
Calculated DAY LEQ:	54.3	1200	56.0	1200
Calculated DAY LEQ:	54.4	1300	55.3	1300
Calculated DAY LEQ:	55.2	1400	55.7	1400
Calculated DAY LEQ:	56.0	1500	55.2	1500
Calculated DAY LEQ:	54.1	1600	55.3	1600
Calculated DAY LEQ:	53.7	1700	56.0	1700
Calculated DAY LEQ:	53.5	1800	54.7	1800
Calculated DAY/EVE. LEQ:	51.0	1900	53.6	1900
Calculated DAY/EVE. LEQ:	51.2	2000	53.1	2000
Calculated DAY/EVE. LEQ:	49.9	2100	52.0	2100
Calculated NIGHT LEQ:	48.3	2200	49.7	2200
Calculated NIGHT LEQ:	48.5	2300	47.6	2300
Calculated NIGHT LEQ:	46.4	0000	46.7	0000
Calculated NIGHT LEQ:	40.7	0100	44.3	0100
Calculated NIGHT LEQ:	37.8	0200	43.1	0200
Calculated NIGHT LEQ:	38.3	0300	39.9	0300
Calculated NIGHT LEQ:	42.3	0400	38.8	0400
Calculated NIGHT LEQ:	45.8	0500	47.1	0500
Calculated NIGHT LEQ:	50.7	0600	54.8	0600

(penalty added for evening or night hours)

LDN:	55.0	dBA	56.8	dBA
C.N.E.L.:	55.4	dBA	57.2	dBA



April 6, 2006



April 7, 2006

Wind conditions at KSANTA23 Weather Station during sound level measurements.

Appendix I: Definitions, Terms, Sources

Sound Level, dB: Sound level - Ten times the common logarithm of the ratio of the square of the measured A-weighted sound pressure to the square of the standard reference pressure of 20 micropascals, SLOW time response, in accordance with ANSI S1.4-1971 (R1976) Unit: decibels(dB).

dBA or dB(A): A-weighted sound level. The ear does not respond equally to all frequencies, but is less sensitive at low and high frequencies than it is at medium or speech range frequencies. Thus, to obtain a single number representing the sound level of a noise containing a wide range of frequencies in a manner representative of the ear's response, it is necessary to reduce the effects of the low and high frequencies with respect to the medium frequencies. The resultant sound level is said to be A-weighted, and the units are dBA. The A-weighted sound level is also called the noise level. A-weighted, slow response time measurements are used exclusively for this assessment.

CNEL / LDN: Since the sensitivity to noise increases during the evening and at night--because excessive noise interferes with the ability to sleep--a 24-hour descriptor has been developed that incorporates an artificial noise penalty added to quiet-time noise events. The Community Noise Equivalent Level, CNEL, is a measure of the cumulative noise exposure in a community, with a 5 dB penalty added to evening (7 - 10 p.m.) and a 10 dB addition to nocturnal (10 p.m. - 7 a.m.) noise levels. The Day-Night Average Sound Level, LDN, is essentially the same as CNEL, with the exception that the evening time period is dropped and all occurrences during this 3-hour period are grouped into the day-time period with no dB penalty.

LEQ The equivalent energy average sound level. Averaging time, commonly 1 hour, is indicated.

Subjective Loudness Changes. In addition to precision measurement of sound level changes, there is a subjective characteristic which describes how most people respond to sound:

A change in sound level of 3 dBA is *barely perceptible* by most listeners.

A change in level of 6 dBA is *clearly perceptible*.

A change of 10 dBA is perceived by most people as being *twice* (or *half*) as loud.

Sound Transmission Class (S.T.C.) The measure of sound transmission through elements of the building shell, such as a wall, door or window construction is the sound transmission coefficient or S.T.C. The S.T.C. in a specified frequency band is the fraction of the airborne sound incident on the partition that is transmitted by the partition and radiated on the other side.

Appendix II: Instrument Specifications, Measurement Protocol

Wind Measurement

Wind speed and direction were noted throughout the measurement period and compared with data from a private datalogging weather station "KSANTA23" near Las Positas Park, about four miles west of Philinda Ave. in Santa Barbara. A magnetic compass was used to estimate wind direction. A Davis Turbo Wind meter was used to measure wind speed. The Turbo Wind meter is a high performance wind speed indicator with exceptional accuracy.

Features of the Turbo Wind Meter: Sapphire jewel bearings and Infra-red speed sensor provide almost no friction allowing the precision turbine to turn at a speed directly proportionate to wind velocity; measures low wind speeds accurately

Sound Level Meters

Precision: The American National Standards Institute (ANSI) specifies several types of sound level meters according to their precision. Types 1, 2, and 3 are referred to as "precision," "general-purpose," and "survey" meters, respectively. Most measurements carefully taken with a type 1 sound level meter will have an error not exceeding 1 dB. The corresponding error for a type 2 sound level meter is about 2 dB. The sound level meters used for measurements shown in this report are Larson-Davis Laboratories Model 812 and Model 820. These meters meet all requirements of ANSI s1.4, IEC 651 for Type 1 accuracy and include the following features:

- 110 dB dynamic range for error free measurements.

- Measures FAST, SLOW, Unweighted PEAK, Weighted PEAK, Impulse, L_{eq} , LDOD, LOSHA, Dose, Time Weighted Average, SEL, L_{max} , L_{min} , L_{DN} .

- Time history sampling periods from 32 samples per second up to one sample every 255 seconds.

Calibration of the meter is made before and after all field measurements with an external calibrator. Laboratory calibration of the meter is performed biannually and can be traced to the U.S. NIST standard.

Sound Level Meter Used for this Study:

Type 1 Larson Davis model 812 Sound Level Meter with 2560 microphone, Serial Number 489.
Preamp 828, Serial Number 1482
Microphone 2560, Serial Number 3153
Certificate of Calibration and Conformance issued 26 Oct 2005.
The instrument meets factory specifications. Calibration due 26 Oct 2007.

Calibrator used in this study

Larson Davis CAL250 Acoustic Calibrator, Serial Number 1931. Certificate of Calibration and Conformance, Certificate Number 2005-66284. Calibrated on 02-22-2006. The instrument meets factory specifications per Procedure D0001.8192. The instrument was found to be in calibration as received. Calibration due 02-22-2008. Full calibration report available on request. Performed by Scott Montgomery, Larson Davis, Provo, UT. Tel 801.375.0177.

The Larson Davis Model CAL250 is an ultra precise microphone calibrator delivering a full 114.0 dB level output signal. Its accuracy has been verified against the reference issued by the National Institute of Standards and Technology (formerly National Bureau of Standards).

Sound Level Measurement Protocol:

The protocol for conducting sound level measurements is prescribed in detail by the American Society for Testing and Materials (ASTM) in their E 1014 publication. The procedures and standards in that document are met or exceeded for most sound level measurements shown in this report. Wind speed and direction data and temperature data are taken from National Weather Service records and "KSANTA23" Weather Station. Measurements were taken at times when wind speed was less than 20 km/h at the "KSANTA23" Weather Station. Wind speed measured at the microphone sites never exceeded 20 km/h. Urban density tends to slow the wind speed in the city, compared to the airport. Wind protection for all microphones was in place at all times.

The standards of E 1014 are exceeded in the present assessment by using Type 1 sound level meters for all measurements instead of the less accurate Type 2 meters called for in the standard. Therefore, the precision of the measurements in this report is likely to be nearer plus or minus 1 dB.

